

# American Renaissance

There is not a truth existing which I fear or would wish unknown to the whole world.

— Thomas Jefferson

Vol. 11, No. 10

October 2000

## Malicious Intent: Two White Cops Sacrificed

### Justice in multi-racial America.

by Anthony Brown

On July 18th Larry Nevers returned to the protection unit of Michigan's maximum-security Oaks Correctional Center to serve out the rest of a 7-15 year prison sentence. In his day he was one of Detroit's most decorated police officers, with 115 commendations, including 2 awards for saving lives. But that was long ago. Now ailing and 59 years old, Mr. Nevers can expect to serve between three to 11 years more jail time for killing a black man, a crime he insists he did not commit.

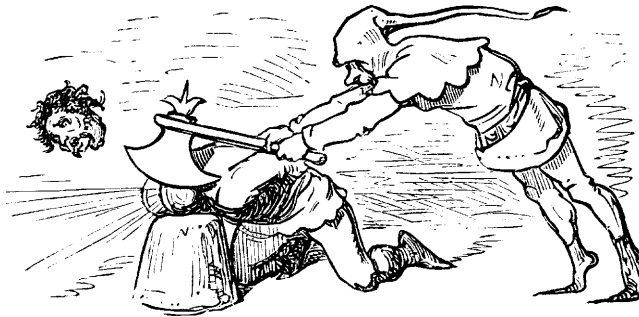
Officer Nevers' nightmare began on the night of November 5, 1992, when a criminal named Malice Green died in police custody. Because Mr. Green was black and the police officers were white, it took only a few days for the incident to blow up into national news. The facts of the case were twisted beyond recognition by the media, and everyone from Detroit's black mayor and black police chief on down put the full blame for Malice Green's death on the officers who were unlucky enough to arrest him.

If a black man dies in a black city and whites are implicated someone is likely to pay—and Larry Nevers and his partner Walter Budzyn took the fall. Today, nearly eight years later, the story has faded from memory, but it is worth reexamining for what it says about justice in multi-racial America.

#### The Incident

On that fateful evening in 1992, two middle-aged white cops, Larry Nevers, 52, and Walter Budzyn, 47, were in an

unmarked police car in a run-down Detroit neighborhood where Officer Nevers had already spent more than 8,000 duty hours. He was due to retire in less than a year. As the officers tell the story, the incident began when a red



compact car passed in front of them with bullet holes in the front fender. It seemed to match the description of a car stolen the night before, so the two officers pulled out after it. The car stopped suddenly in front of a well-known crack house. Officer Nevers stopped behind it, and a black man burst out of the rear door towards the back of the house.

The car was not the stolen vehicle they were looking for, but Officer Nevers recognized the man who had bolted as someone he had arrested twice

**Everyone from Detroit's black mayor on down blamed Malice Green's death on the officers who were unlucky enough to arrest him.**

before on felony charges. He sent Officer Budzyn to run after the man.

Meanwhile, two other black men in the compact, Ralph Fletcher and Malice Green, got out of the car and walked toward three drug addicts who had just come out of the crack house: two black men and Teresa Pace, a white prostitute.

Mr. Green and Mr. Fletcher were coming home from their third trip to the liquor store that day. Mr. Fletcher was a squatter in the abandoned house, where he sold drugs and let people come in to have sex.

Officer Nevers got out of his car and asked Mr. Green, who had been driving, for his license. Mr. Green mumbled that it was in the car, and walked over to the passenger's side. By this time Officer Budzyn had returned, and frisked the two men who had been riding in the car. Officer Budzyn walked over to Mr. Green to get his license, while Officer Nevers

bantered with the drug addicts.

With his fist clenched, Mr. Green tried to open the glove compartment to get his license, but a rock of crack cocaine fell out of his hand, and he moved to pick it up off the floor. Officer Budzyn saw this, and ordered Mr. Green to drop the rock, grabbing his arm with both hands so that Mr. Green would not swallow the evidence. Mr. Green began to kick Officer Budzyn.

At this point, one of the addicts called to Officer Nevers that his partner was in trouble. He looked up but his partner was nowhere to be seen, so he ran over to the car, where Mr. Green and Officer Budzyn were in the front seat, struggling and shouting.

Officer Nevers tried to help Officer Budzyn by grabbing Mr. Green's hand, and Mr. Green, a slight man weighing only 145 pounds, kicked Officer Nevers in the chest. Officer Nevers rocked back but regained his balance and grabbed Mr. Green's hand, peeling open the little finger and prying loose a rock of crack. There were more drugs in Mr. Green's hand, and he refused to open it all the way. Officer Nevers hit Mr. Green repeatedly on the knuckles with his two-

*Continued on page 3*



## Letters from Readers

Sir – I'm glad James Lubinskas has described the almost complete abandonment of racial consciousness by *National Review* over the past 30 years, but I am disappointed he does not tell us why NR became 85 percent P.C. on race.

I think there are several reasons. First, there was the alliance Mr. Buckley made with the so-called neocons—better described as a clique of ex-socialist New York intellectuals—like Irving Kristol and Norman Podhoretz, who were beligerently egalitarian, anti-traditional, and solid supporters of the civil rights movement. This alliance has proved a disaster. Neocons—to true conservatives an alien species—have spread like kudzu through the right and now dominate what is left of “mainstream” conservatism. Old-style, racially-conscious, “America First” conservatives, like Joe Sobran and Patrick Buchanan, have been banished from the movement they helped to create by late-comers, like the Podhoretzes, who now presume to vet any conservative leader for correct attitudes on race, Israel, and the New World Order.

It was Mr. Buckley who gave them the power to do this; witness the famous NR issue, “In Search of Anti-semitism,” which tried to drum Mr. Sobran and Mr. Buchanan out of polite society. It was here, I believe, as the neocons really began to flex their muscles, that NR lurched decisively to the left, towards political correctness, and away from any lingering loyalty to the concept of racial solidarity for whites. Still, this does not explain why Mr. Buckley went P.C. on race. Why is NR abandoning its long and honorable opposition to mass immigration from the Third World?

Perhaps part of the answer lies in another factor unexamined in the Lubinskas article: the Buckley personality cult. For decades, Mr. Buckley has been viewed as the “indispensable man” among conservatives, as well as their most popular figure, save for Ronald Reagan. But while Mr. Reagan was never really accepted by the media or other elements of the ruling establishment, the charming, erudite Mr. Buckley has for years been their beloved pet, their “house[broken] conservative.” Like any good pet, he wants to please. And like any good pet he knows when to stop behaving in ways that are socially unacceptable.

Yet surely I exaggerate. Mr. Buckley's craving for establishment approval cannot fully explain the decline of NR. There must be other reasons, including mundane ones like the death or retirement of some of his older writers, men with a better grip on racial reality than their young deracinated replacements, the Rich Lowrys and Ramesh Ponnerus.

Gerald Martin, Dallas, Texas



Sir – A few comments about Jared Taylor's apparent bemusement with WFB's recent column from the Republican convention, “The Philadelphia Covenant:”

Mr. Buckley has always maintained an adroit ambiguity on his personal beliefs about race. Having read him frequently for 36 years (since I was 12) I find him almost impossible to pin down into a forthright position, although his magazine was, as the Lubinskas article points out, quite realistic about racial differences until recent times. But this realism may have been more despite Buckley's influence than because of it.

In 1979, I submitted an essay to *National Review* about the Carter-era army, based on my experiences as a junior officer. It was accepted for publication. At the last moment, it was removed from the issue in which it was scheduled to appear. I was told by (if I remember correctly) Joe Sobran, who must have been an editor at the time, that Mr. Buckley had taken a dislike to my “overt racial consciousness,” in cataloging the many problems of the army. I had condemned affirmative action in promotions, and recounted in fairly gruesome detail some of the atrocities committed on white soldiers in barracks dominated by black extortion gangs. This, apparently, was too much for WFB. He ordered the article rewritten, assigned me a co-author who was an army lawyer, and told us to re-submit after removing all “overtly racial” material. We complied, but Mr. Buckley eventually scotched the whole thing anyway.

Which brings me back to his “Philadelphia Covenant” column. As Mr. Buckley has aged, his pronouncements on race have gone from the ambiguous to the obscure, but occasionally the latter-day Delphic oracle of “true” conservatism gives us some clues about what he is thinking. He gave one clue when he announced, in a column written in the early 1980s, that he hoped America would mark the new millennium by electing a black President. There are other clues in “Philadelphia Covenant.” For instance, he cites no less an authority than Lamar Smith, the Texas congressman known for his relative sanity on immigration issues as saying “white-ethnic pride” is no longer permissible. Another clue: “From slaveowning to ethnic indifference, a hell of a ride,” along with his instruction, in Spanish, to sing, not weep about it.

And just what is “it”? The inevitable outcome of the Republican immigration and cheap labor policies celebrated at their “Philadelphia Covenant,” this outcome being the gradual displacement and extinction of whites. So Mr. Buckley advises white people, in keeping with the spirit of the convention, to celebrate their demise, even if they would rather mourn, or, heaven forbid, resist. Coming from a man who once proudly proclaimed that his mission in life was to “. . . stand athwart history, yelling, ‘stop!’ ” this is mighty strange advice.

Beau Martin



## American Renaissance

Jared Taylor, Editor  
James P. Lubinkas, Contributing Editor  
Glayde Whitney, Contributing Editor  
George McDaniel, Web Page Editor

American Renaissance is published monthly by the New Century Foundation. NCF is governed by section 501 (c) (3) of the Internal Revenue Code; contributions to it are tax deductible.

Subscriptions to American Renaissance are \$24.00 per year. First-class postage is an additional \$6.00. Subscriptions to Canada (first class) and overseas (surface mail) are \$30.00. Overseas airmail subscriptions are \$40.00. Back issues are \$3.00 each. Foreign subscribers should send U.S. dollars or equivalent in convertible bank notes.

Please make checks payable to: American Renaissance, P.O. Box 527, Oakton, VA 22124. ISSN No. 1086-9905, Telephone: (703) 716-0900, Facsimile: (703) 716-0932, Web Page Address: [www.amren.com](http://www.amren.com) Electronic Mail: [AR@amren.com](mailto:AR@amren.com)

*Continued from page 1*

pound aluminum flashlight, but he refused to let go of the drugs, and tried to kick Officer Nevers again. Officer Nevers lost his hold on Mr. Green's hand and suddenly realized two things: This was going to be a difficult arrest and there were five junkies standing behind him. Up to that point, they were telling the frenzied Mr. Green to give up his crack, but they made Officer Nevers uneasy. He ordered them to leave.

In the meantime, Mr. Green kept striking at Officer Budzyn and was trying to escape out the driver's side door. Officer Budzyn was losing control of him and slipping between the front seats, and Officer Nevers ran around to the other side of the vehicle, where Mr. Green's upper body was already out of the car. Officer Nevers got down on his knees and grabbed Mr. Green to keep him from getting away. Officer Budzyn radioed for help, while at the same time trying to hold Mr. Green by the legs. Mr. Green then reached for Officer Nevers' gun. Years before, a criminal had grabbed Officer Nevers' gun during an altercation, and his partner had had to shoot the man dead. Larry Nevers had vowed never to let that happen again. He struck Mr. Green on the head three or four times with his flashlight, until the man let go of the butt of his gun.

An ambulance happened to be coming down the road, and Officer Nevers flagged it down. He weighed over 200 pounds and was panting heavily at this point. Mr. Green, with the upper half of his body still outside of the car, began swinging something metallic (which turned out to be a set of keys poking out between his fingers) at Officer Nevers' head with his right hand. Officer Nevers

ordered him to stop, and to drop whatever was in his hand. When he refused, Officer Nevers hit him on the head again two or three times with the flashlight.

A second ambulance and four responding officers, along with a black sergeant named Freddie Douglas, arrived at the scene. An exhausted Officer Nevers got out of the way of the other policemen, as they tried to pull Mr. Green—still struggling—out of his car. Mr. Green locked his foot in the steering wheel, but after considerable effort, Officer Robert Lessnau finally managed to get him out.

Malice Green was in a drugged frenzy and had several cuts on his head from Nevers' flashlight (Officer Budzyn never struck a blow with his flashlight), as well as a nasty gash on his forehead and a number of other scratches from hitting the ground and the inside of the car during the struggle. Although he was face down on the ground and surrounded by officers, he tried to pull an eight-inch knife out of his pocket (the media later referred to this as a "penknife"). The officers managed to handcuff him, and he then lost consciousness, whereupon he was put in the first ambulance and driven to the hospital. He had a seizure and lost vital signs a few blocks from the hospital, so the Emergency Medical Service (EMS) personnel pulled over and tried to revive him with two-man CPR. This was a violation of EMS policy, which requires that one of the men always continue to drive. The ambulance pulled into the hospital after a 17-minute trip that should have taken five, and Mr. Green was dead when he got to the emergency room.

Officer Budzyn turned in four rocks of cocaine at the precinct, and several

more were later found on the dashboard. By then, homicide investigators looking for evidence for a conviction, thought they were "chips" from Mr. Green's skull.

No police improprieties were reported in connection with this event until an hour and forty-five minutes after it occurred. Lee Hardy, a black EMS technician, and one of the last to arrive on the scene, radioed his superior to ask what he should do if he witnessed police brutality or murder—and the trouble began.

A black man had died at the hands of white policemen, and the story began to grow. Within eighteen hours, all seven of the officers involved, including those who merely responded to Officer Budzyn's call for help, were suspended without pay. The acting Commander of the 4th Precinct, Walter Shoulders, a black man, declared, "(T)hey murdered this man for no other reason than the fact that he was black. If I had been the senior officer on the scene, Malice Green would not have been the only one who showed up dead at the hospital."

Soon afterwards, a tearful black Chief of Police, Stanley Knox, held a press conference, and told the national media, "This is not Simi Valley (where the officers who beat Rodney King were first tried and acquitted), and we will con-

---

### **Malice Green then tried to pull an eight-inch knife out of his pocket (the media later referred to this as a "penknife").**

---

vict." The next day, Detroit's black mayor, Coleman Young, was on NBC's "Nightly News," calling the incident murder at the hands of the police. All this made unbiased treatment of the event very difficult. Nearly two hundred articles on the case appeared in the Detroit papers before trial. All assumed the police officers were guilty, and many suggested the killing was typical brutal behavior. As Walter Budzyn explains, "The media had a frenzy with [this case] from the very beginning."

In order to express his outrage, and to make better scapegoats, Chief Knox denied the seven officers a police board of review to examine the incident, the first time this had ever happened in Detroit. Within a month, Officers Nevers, Budzyn, and Lessnau—the officer who



had pulled Mr. Green out of his car—were dismissed from the force, along with the black Sergeant Freddie Douglas, the highest-ranking officer on the scene. Criminal indictments were secured against each of the four policemen, although Sergeant Douglas' manslaughter charge was later dismissed. The three other responding officers were suspended from the force without pay, for the crime of being on the scene at the time when the other officers were supposedly beating Malice Green to death. Larry Nevers was thrown out of the force for committing second degree murder—conduct unbecoming an officer—although he had not yet been tried for the crime.

Officers Nevers, Budzyn, and Lessnau had a trial date set for May, 1993. In the meantime, the city of Detroit settled a suit with the Green family for \$5.25 million, a powerful suggestion that the police were guilty. All the while, the NAACP organized marches and demonstrations against the officers and denounced them over the airwaves. It paid for Malice Green's funeral, and sent letters to the trial judge asking for bond to be denied and for the maximum sentence.

### The Men

Who are the men in this story? Larry Nevers had been on the Detroit police force for 24 years. Not one substantiated complaint had ever been filed against him. He was one of the most



Larry Nevers.

decorated officers on a force of over 3,500 men. On November 2, 1992, three days before the Malice Green incident, he talked an armed robber into surrendering, earning himself a nomination for "Officer of the Year." No fewer than 95 percent of the people he arrested were convicted.

Walter Budzyn was a Vietnam veteran and had served 19 years. He won more than 40 commendations, and was

Officer of the Year for his precinct in 1990. He had one disciplinary action on his record, for "leaving his post without permission," when he drove an elderly couple home to Windsor, across the Canadian border, after their car was stolen in Detroit. The media, of course, portrayed these officers as loose-cannon racists who shook down innocent inner-city blacks for kicks.

Before his encounter with Officers Budzyn and Nevers, Malice "Fly" Green had been arrested at least four times, once for drug possession, and twice for spousal battery. He had resisted arrest several times, kicking his way out of a scout car in 1989 and assaulting police officers in 1990. The newspapers described him as an "unemployed steelworker" and even quoted his drug-addicted friends who said he was "afraid to jaywalk."

In June, 1993, Officers Larry Nevers and Walter Budzyn went on trial for second-degree murder. Robert Lessnau was charged with assault with intent to commit great bodily harm. The black Chief Judge of the Detroit Recorder's Court, Dalton Roberson, refused to move the trial out of Detroit. Judge Roberson then hand-picked George Crockett, an NAACP member, to preside over the case, although normally judges are picked in a blind draw. Officers Nevers, Budzyn, and Lessnau were all tried in the same court. Larry Nevers and Walter Budzyn had two separate juries, and Judge Crockett tried Officer Lessnau.

Ten blacks and two whites sat on the Nevers jury, and its foreman was a black man. There were eleven blacks and one white on the Budzyn jury, and the foreman was a black woman. This woman, Myrlen Washington, Executive Vice President of the Detroit branch of the NAACP, lied to get on the jury, denying that she knew any lawyers or was affiliated with the Young administration, even though she worked under Mayor Young's nephew in the Department of Public Works. Miss Washington put the jury time to good use, recruiting three new members for the NAACP and campaigning for a friend who was a member of the Prosecutor's office and the NAACP's endorsement for mayor. She also told jurors—falsely—that Walter Budzyn had been a member of a special police unit that used to work with blacks and was perceived to have been racist.

There were to be five main eye-witnesses to the incident: the two men in

Mr. Green's car, the white prostitute (whom the prosecution paid \$600 in "witness fees"), and the two blacks who came out of the crack house with her. All five were admitted crack addicts, and all had their own criminal charges dropped or delayed until after the trial. One of the five, the man riding in Mr. Green's back seat, died in a drug-related shooting near the scene of the Malice Green incident before the trial took place.



Walter Budzyn.

The four remaining witnesses admitted to smoking crack shortly before the incident but testified that Officers Nevers and Budzyn behaved brutally and irresponsibly. They could agree on little else. Some said Officer Budzyn hit Mr. Green in the head with his flashlight, some said on the body or hands. They didn't see these blows land but assumed that they were landing because they could hear them. Some said Officer Budzyn just held Mr. Green and didn't hit him at all. The apparent brutality of Officer Budzyn's actions—their friend Malice was supposedly being beaten to death—did not stop them from leaving the scene when Larry Nevers told them to. All four said the car was flooded with light by a dome light which, it was later discovered, Mr. Green had removed so he could sell drugs in the dark.

Despite their contradictory testimony, all four agreed Malice Green was hiding something in his hand, ignoring the lawful command of an officer, and resisting arrest. Some said Mr. Green was kicking and struggling.

The first two Emergency Medical Services technicians arrived after the point at which Officer Nevers says Mr. Green reached for his gun. They testified that Officer Nevers hit Mr. Green with his flashlight with quick flicks of the wrist. One of these technicians, a Hispanic, said Officer Nevers hit Mr. Green four times, the other, a black, said three. This supports Larry Nevers' own

testimony. After this, two other EMS technicians arrived in a second ambulance and other officers arrived. It was these other officers who handcuffed Mr. Green and put him in the first ambulance.

According to their onboard computer, the second pair of EMS technicians arrived more than seven minutes after the first two. Scott Walsh, a white, testified that Officer Nevers straddled Mr. Green and struck him on the back of the head. No other witnesses support this testimony, and the autopsy found no injuries to the back of Mr. Green's head. Lee Hardy, the black man who originally reported the incident, said Officer Nevers struck Mr. Green ten times, continuing to strike him even as the other officers handcuffed him. No other witness supported this claim.

The testimony of the EMS technicians gives the impression Mr. Green was dazed and not struggling, that Officer Nevers beat an unresisting man to death. However, this description conflicts with reports the EMS personnel themselves filed immediately after the incident, which described Mr. Green as resisting arrest, kicking and squirming until the time he was put in the ambulance. The original reports were not admitted at trial.

Judge Crockett did not seem to believe Mr. Hardy, the black EMS officer. He was the only witness to testify against Officer Lessnau, and Judge Crockett acquitted him. Mr. Hardy's testimony is suspect for another reason. He had worked for the EMS for three years, and had been disciplined several times. He had also filed many times for disability, but it had never been granted. After the Green incident, Mr. Hardy filed for disability again, claiming the police violence he had witnessed traumatized him, so it was in his interest to make it appear he had witnessed something horrible. This time, after the verdict, the City of Detroit gave Mr. Hardy a disability settlement of \$60,000 in return for testifying against Robert Lessnau in a lawsuit he had brought against the city and the Detroit Police Department for his mistreatment at their hands. This suit settled out of court.

The key to this case, in which there seemed to be no clear picture of what really happened, should have been the autopsy, conducted at the Wayne County Mortuary. The mortuary had not been nationally certified for 13 years, and had

a history of bad work. Dr. Kalil Jiraki, the most junior medical examiner, did the autopsy. He was going on vacation the next day, and had three other autopsies to do that night. Before he started working, a homicide officer told him white cops had beaten a black, to which he replied, "I got the picture, say no



Malice Green.

more." Toxicological evidence might have established that Green had died of a drug overdose, but Dr. Jiraki didn't wait for the report. He declared the cause of death as "blunt force trauma."

Interestingly, in a similar case in July, 1992, Dr. Jiraki had performed an autopsy on another black man, James Brooks, who died after a scuffle with black policemen. His scalp showed contusions, tears, and abrasions. However, his lungs and brains were not swollen, and his skull was not fractured, any of which would suggest death due to brain damage. His heart was enlarged, which is a strong indicator of cocaine abuse, and because of this Dr. Jiraki waited for the toxicology reports. Brooks had a blood cocaine content of 0.38 percent. Dr. Jiraki could not initially decide on the cause of death, but later changed his ruling to "cocaine addiction."

Malice Green had a cocaine content in his bloodstream of 0.50, as well as alcohol, which was not present in Brooks' system. Like Brooks, Mr. Green's lungs and brains were not swollen, and his skull was not fractured, suggesting he did not die of brain damage. Likewise his heart was enlarged—consistent with cocaine abuse—but Dr. Jiraki decided the case was clearly one of "blunt force trauma." At trial, Dr. Jiraki retreated from his position in the Brooks case and said cocaine had never been a cause of death at levels less than 0.90 percent.

Two forensic pathologists testified that cocaine was a key element in Mr. Green's death. A neuropathologist from the University of Pennsylvania, Dr. Lucy

Rorke, testified the wounds on Mr. Green's head were nothing that couldn't be fixed with stitches, and concluded, "absent the blows this man would have died anyway. . . . Blunt force trauma was definitely not the cause of this man's death."

Head trauma causes death when the brain swells up with no place to go. It forces itself down onto the brain stem, killing the victim. Dr. Jiraki testified that Mr. Green died from swelling of the brain. Under cross-examination he admitted the brain was not swollen, but said it would have been if Mr. Green had lived long enough. The absurdity of a man dying from a condition he did not suffer from at the time of his death was apparently lost on the court, but Dr. Jiraki's version of the death was supported by medical expert Dr. Michael Baden, who also testified at the O.J. Simpson trial. Dr. Baden has a history of going to court against police officers, and actually paid \$10,000 for the pleasure of testifying. He was later fired from his position as Chief Medical Examiner in New York City for "poor judgment" in a case in which a suspect died in police custody.

Dr. Jiraki was dismissed from the Wayne County Mortuary on account of mental instability and absenteeism soon after the trial. In an absurd twist, Dr. Jiraki sued, saying he was fired because he refused to say Mr. Green died of a cocaine overdose, and was awarded \$2.5 million.

Throughout the trial, the prosecution made wild accusations. Prosecutor Doug Baker said Walter Budzyn planted cocaine on the scene, and suggested Larry Nevers ordered the junkies to leave so he could beat Mr. Green to death unobserved. He asked Officer Nevers why he didn't just throw his gun away when Mr. Green reached for it. He also said that instead of resisting arrest when he was being handcuffed, Mr. Green's arms and legs were stiffening and jerking because Officer Nevers had beaten him so hard his brain was swelling. This was a phenomenon apparently unknown to the medical experts.

As the trial concluded, the jurors learned the National Guard was on alert because there would be riots if there were an acquittal. Towards the end of the trial Judge Crockett left town for a few days and the jurors watched movies while they were sequestered. The first was "Malcolm X," which opens

with the Rodney King beating and a voice-over explaining that white cops are the descendants of the Ku Klux Klan.

Not surprisingly, both juries found Officers Nevers and Budzyn guilty of second-degree murder. The judge sentenced Officer Nevers to 12 to 25 years in prison and Officer Budzyn to 8 to 18. They spent the next four years at a maximum-security prison in Fort Worth, Texas.

The only white man on Mr. Budzyn's jury, Karl Keffer, went on television and radio after the trial, voicing his regret at convicting Mr. Budzyn, and said he was

---

**Whatever the two officers did or did not do, there is not a shred of evidence race had anything to do with it.**

---

pressured and harassed by black jurors. He said he had thought they were his friends until he started to talk about the evidence during deliberations. He said the blacks did not want to talk about evidence, and that he was the only juror who did not think race was a factor in the incident. He also said blacks disobeyed the judge's instructions and did not refrain from reading articles or watching television broadcasts about the case.

In 1995 the prosecutors of neighboring Oakland and Macomb Counties (both of whom were white and who had nothing to do with the Green case) said the officers should be retried. Articles appeared in the press accusing them of racism and of trying to use the race card to win re-election.

### **Retrial**

In 1999, the two officers won new trials on a number of grounds, including the following: There was no proof the officers' acts had caused Mr. Green's death. The judge gave the jury bad instructions about lawful use of force by a police officer. There was massive negative pretrial publicity, but no change of venue. The film "Malcolm X" prejudiced the jurors. The prosecution used money and other inducements for witnesses and then kept this quiet.

Walter Budzyn was retried first. The jury pool was from Wayne County as a whole, not just Detroit, and eight whites served with four blacks. The evidence

and testimony were essentially the same as in the previous trial. This time, though, the defense argued that although Larry Nevers may have been guilty of killing Malice Green, Officer Budzyn never hit Mr. Green and could not have caused his death. Mr. Budzyn's lawyers did not try to argue Mr. Green had died of an overdose.

At the beginning of the trial, the judge ruled that "failure to act" to prevent Officer Nevers from killing Mr. Green could not be considered involuntary manslaughter but at the end of the trial, the prosecution showed the jury a large banner, with the words "failure to act" on it. The judge ordered it taken down.

Surprisingly, the jury convicted Officer Budzyn of involuntary manslaughter. This is a lesser crime than second-degree murder, which requires intent to kill, but is still a serious felony. Later, the head juror said the jury thought the officer could have done more to restrain his partner. The "failure to act" banner may have confused them. Mr. Budzyn now says that guilt "was already imbedded" in the jurors' minds because of one-sided media coverage.

The judge sentenced Officer Budzyn to 4-15 years in prison, and commuted the sentence to time already served. The prosecution appealed, demanding that Mr. Budzyn serve out the full four years of his sentence, since he had served only three years and 320 days. A court of appeals ordered Mr. Budzyn back to jail for 45 days, after which he could apply for parole. Mr. Budzyn, now out on bond and struggling to pay his bills, is appealing this decision. If he loses, he will go back to jail, and may or may not be granted parole.

He is also appealing to have his conviction overturned. "I want to clear my name," he says. "I can't vote, I can't do anything to obtain a good job—I can't even go to school. The first thing they ask is if you have ever been convicted of a felony."

In the meantime, Larry Nevers had surgery for lung cancer in August, 1999, which removed a large part of his left lung. His condition had deteriorated badly because of histoplasmosis, a lung disease he got in prison from breathing air contaminated with pigeon excrement. Mr. Nevers' lung capacity is now less than a third of normal, and he is on oxygen 14 hours a day.

In April this year, Mr. Nevers got a second trial, this time with nine whites

on the jury. His lawyers tried to prove Mr. Green died of a drug overdose rather than a beating. However, Judge Ulysses Boykin, who is black, refused to allow several key pieces of evidence. Other police officers who had had violent encounters with Mr. Green were not allowed to testify, the original statements of the EMS technicians were not admitted as evidence, and Larry Nevers' commendations could not be cited as evidence of good character.

Prosecutor Doug Baker made more outlandish charges. Several hours before the Green incident, Larry Nevers confiscated a realistic toy gun from a child in the neighborhood. In the retrial, the prosecution insinuated—outrageously—that this toy was a drop gun Officer Nevers intended to plant on Mr. Green.

Bader Cassin testified instead of Dr. Jiraki, who was incapacitated with mental illness. Dr. Cassin, who was Dr. Jiraki's superior, examined the body the day after Dr. Jiraki had, and found that although Dr. Jiraki claimed to have sectioned the brain, he had apparently made no incisions to determine whether the brain had swollen. Dr. Cassin's second autopsy might have influenced the original case, but the prosecution did not make this information available. Dr. Cassin testified that drugs had a major part to play in Mr. Green's death.

At the end of the trial, over the objections of an utterly unprepared defense, Judge Boykin told the jurors they could convict for involuntary manslaughter if there was not enough evidence for second-degree murder. Mr. Nevers' lawyers had prepared the case on the assumption that if he were innocent of second-degree murder he would go free; they would have mounted different defenses against a different charge. The jury took the judge's suggestion and found Mr. Nevers guilty of involuntary manslaughter.

Judge Boykin sentenced Mr. Nevers to 7-15 years in prison, less time already served. He refused to give Mr. Nevers two weeks to arrange for his medical needs. On July 18, 2000, Larry Nevers, 59 years old and very sick, returned to prison to serve out his term. His wife Nancy says "[the judge] has literally given my husband a death sentence." He is in a protection unit, where he is locked down 22½ hours a day to keep him away from other prisoners. Besides his notoriety in the Green case, Mr. Nevers put a great many criminals behind bars, and



it is just as well to keep them away from him.

### Where does the truth lie?

The junkies and EMS personnel say the two officers intentionally struck and killed a dazed Mr. Green. Larry Nevers admits hitting Malice Green in the head; Walter Budzyn does not. The most qualified doctor to testify, Lucy Rorke, said cocaine killed Mr. Green. Larry Nevers did not fracture Malice Green's skull, though he could have done so easily if that had been his intention. If he wanted to kill Mr. Green why did he flag down a passing ambulance? If the officers wanted to beat black people, why did they frisk the first man to burst out of Mr. Green's car and then let him go? Would the officers continue to appeal their cases and speak openly about the incident if they were guilty? There is a great deal of reasonable doubt in this case.

Malice Green almost certainly died of a drug overdose complicated by a violent altercation with police he brought on by resisting arrest. Whatever the two officers did or did not do, there is not a shred of evidence race had anything to do with it.

What is more, the four backup officers who were initially suspended without pay but *not* charged sued Detroit because of the way they were treated.

In 1997 they won a \$4 million settlement, which suggests the city over-reacted because of the racial hysteria surrounding the case. Are we to believe that Officers Nevers and Budzyn were not also victims of over-reaction?

Given a blood-thirsty media and the racial makeup of the jury, the results of the initial trials are not hard to understand but how do we explain the verdicts handed down by majority-white juries? These cases were judged in the press long before they went to court. It would have been hard for any jury to overturn the verdict of the media, of Detroit city officials, and of the first juries. In Walter Budzyn's trial, the jury clearly took the mistaken view that failure to act was a crime.

Also, the results of the Budzyn trial may have influenced the Nevers verdict. Because Mr. Budzyn served no additional time, jurors who wanted to acquit Mr. Nevers might have been more willing to convict, thinking that he too would serve little or no additional time. Also, because Mr. Budzyn was convicted of involuntary manslaughter without any evidence he actually *did* anything to cause Mr. Green's death, it would seem unfair to convict Mr. Budzyn without also convicting Mr. Nevers.

Neil Fink, Larry Nevers' lawyer in the second trial, thinks the verdict was a clear-cut compromise. He said seven

years was not enough time for passions to cool. The black jurors would not vote to acquit Mr. Nevers, so the whites were forced to agree to a conviction of some kind. "Only in law school," says Mr. Fink, do jurors stick to the facts and refuse to compromise. When asked if the result would have been different with 12 white jurors, he replied that we already knew the verdict of an all-black jury: conviction for murder.

Nancy Nevers questions whether the legal system itself is not flawed. "Jurors can sometimes have hidden agendas, and often the people who make up juries are unemployed or retired, and these are not the people who have the best cognitive resources," she says. "It may be we should think about having professional jurors."

What can be safely said is that this case was poisoned from start to finish with the inevitable tensions of race. It is difficult to imagine this case even going to trial in an all-white society. As it is, the lives of two white police officers have been ruined. Walter Budzyn is waiting to find out if he will go back to jail. Larry Nevers is serving out his sentence, but has appealed once again and information about his case is available at [www.larrynevers.com](http://www.larrynevers.com). As for Malice Green, there is a mural to his memory on a wall near the crack house. **Q**

*Mr. Brown lives in Washington, DC.*

## The Anti-Establishment Establishment

*Race Traitor*, Box 400603, Cambridge, MA 02140, \$20.00 per year, quarterly,  
[www.postfun.com/racetrailor](http://www.postfun.com/racetrailor)

### A liberal lamb in radical wolf's clothing.

reviewed by Michael Levin

From time to time, *American Renaissance* has treated readers to quotations from *Race Traitor*, a quarterly published in Cambridge, Massachusetts. Its editor and driving force is one Noel Ignatieff, listed on Harvard University's website as an instructor (not professor) of English. *Traitor* is subtitled "the journal of the new abolitionism," and its slogan is "Treason to whiteness is loyalty to humanity;" that of its affiliate broadsheet *The New Abolitionist* is "Abolish the White Race—By

Any Means Necessary." One might think *Traitor*, a small anti-white periodical produced by a (Jewish) resident of the Ivy League liberal arts demimonde, would offer glimpses of hard-left racial thinking, serving as a Marxist counterpart to the racial consciousness of AR.

race traitor

To some extent it does, yet *Traitor* fills this bill very incompletely. To begin with, it differs markedly in tone from AR. Half of a typical issue of *Traitor* is reports by blacks or over-age white hippies about their unhappy encounters with "The Man." These incidents—in

which, typically, cliché-spouting white cops mistreat innocent "activists"—are too pat to be believed. (Put-upon homosexuals figure prominently as victims. So do poets and artists.) The rest of *Traitor* is mindless, jargon-heavy "deconstructions" of race, e.g.: "whiteness is empty, an epistemic violence that, once interrogated, precludes forever the comfort of privileged gaze." One Loren Goldner writes that 18th century racism "was a direct extrapolation, in political economy, of the linearity and 'bad infinity' of Newtonian physics and the Enlightenment ontology," whereas "Marx's concept of labor-power is the concrete realization, in social terms, of the 'actual infinity' of pre-Enlightenment thought."

But style aside, *Traitor* is not very radical. If the centrist position in current public debates about race is thought of as that of the television network news shows or typical college psychology texts, its views are middle of the road. Once its buzzwords are deciphered, almost any passage of *Traitor* could appear as an editorial in the *New York Times*.

### **Perhaps AR should publicly call for the destruction of the black race, and then explain that this is just a way of criticizing affirmative action.**

The clearest instance of sounding daring while playing it safe is *Traitor*'s editorial credo, entitled "What We Believe." The most promising passage is no doubt, "The key to solving the social problems of our age is to abolish the white race. . . ." Here Mr. Ignatieff seems to leave moderation far behind. And recall the supplementary slogan, "Abolish the White Race—By Any Means Necessary." The phrase "by any means necessary," much admired by Malcolm X, obviously suggests killing whites as one possibility, a sentiment the average liberal would probably find too bloodthirsty. But Mr. Ignatieff backs off. The sentence that appears to endorse genocidal murder of whites continues: "that is, to abolish the privileges of the white skin." The "that is" transforms the thought into a different and much weaker one.

Using the same dodge, another contributor writes that white oppression will end "as soon as enough whites are willing to commit racial suicide," and then immediately adds "that is, as soon as enough whites are prepared to attack the system of privilege." So abolition and suicide turn out to have nothing to do with anyone's actual death, or violence of any sort. Nor with race, for that matter, for Mr. Ignatieff remarks that "white is not something people are, it is something they do, and those who resist or have no part in the system of white-skin privileges aren't white." He piously adds that he doesn't hate anybody, even his "nominally 'white' " self. Presumably, if being "white" is something one does rather than something one is, perhaps even non-whites could be "white."

By such word-play Mr. Ignatieff can and does go on to deplore "the existence of the white race" and call for its "destruction" while meaning, or being able to say he means, something with which the mainstream media would probably agree. Perhaps AR should publicly call for the destruction of the black race, and then explain that this is just a way of criticizing affirmative action. Why not say that all blacks are criminals on grounds that black is not something people are but something they do, and that "blacks" who don't commit crimes aren't black? From AR such language would be hate speech; from the left, it is social conscience.

*Traitor* seems to specialize in bold-sounding declarations that don't really amount to much. Its credo begins with the words:

"The white race is a historically constructed social formation. It consists of all those who partake of the privileges of white skin in this society. Its most wretched members share a status higher, in some respects, than that of the most exalted persons excluded from it."

Note the weaselly qualifier "in some respects," which saves the passage from absurdity. At first glance, Mr. Ignatieff seems ready to declare all whites privileged over everyone else, since he writes elsewhere that white skin is "a badge of loyalty," "a handy guide to the dispensing of favors." Is he then saying Caucasian derelicts are better off than Michael Jordan? Hardly.

But there is also a fundamental logical problem with this view. Because the U.S. was until lately almost entirely European, a white man's main rivals for education, jobs, and wages were other whites. One of *Traitor*'s contributors (from Oakland, California) writes that one "privilege" of membership in the "white club" is "enrollment in better schools." Yet how can sheer whiteness get someone into a good college when every other applicant is also white? The idea that American whites are "privileged" because of the presence of non-whites suggests that the more non-whites there are, the greater the privilege. The absurdity of this is clear if we imagine large numbers of Africans pouring into Norway or Iceland. Would the natives suddenly be better off because they could now benefit from racial "privileges" they never enjoyed in an all-white society?

Calling whites privileged only "in some respects" deflects these questions while giving up blanket claims of white advantage. One can almost hear Mr. Ignatieff—or Peter Jennings or a *Times* editorialist—hedging: "I never said all blacks are worse off than all whites, or that all whites are equally well off. All I'm saying is that it's good to be white; just don't ask me to get too specific about how."

*Race Traitor* is a liberal lamb beneath radical wolf's clothing not just in its evasive language, but in its specific positions as well. Many are quite mainstream, and would doubtless have commanded assent from William Clinton's Panel on Race. Among them:

1) Support for quotas. The most exasperating inconsistency of liberalism is its blather about judging a man "not by the color of his skin but the content of his character," combined with double standards favoring blacks. One would hope that radicals hostile to racial identity would, if nothing else, oppose affirmative action. But *Traitor* is all for it, for reasons that would sound right at home on Sunday morning news shows: "The U.S. is a big engine guaranteeing affirmative action for whites, and affirmative action for victims of race discrimination is one way of addressing that problem." Like garden variety liberals, Mr. Ignatieff has no trouble classifying by race when it is to the advantage of non-whites.

2) The moral superiority of blacks. The path to this is a bit circuitous, but Mr. Ignatieff does manage to get there. At one point he notes that black jazz trumpeter Miles Davis had an interest in composers like Prokofiev, and this leads him to the overall question of "universalism." If it "makes no sense" to call Beethoven or Dante or Dürer "white" artists—apparently because they are popular everywhere—shouldn't Mr.



Davis get credit for looking beyond "black" music and therefore not be considered black? Not at all. Black race consciousness tends to undermine white prerogatives, so should be encouraged.



Mr. Ignatieff adds an afterthought: "Why do such admirable expressions of universality as Davis' emanate with disproportionate frequency from black rather than white people?" An extraordinary question! Anyone familiar with the subject knows that the very idea of a common human nature with universal rights is a European invention, and that blacks are far more aware of ethnicity than whites. Blacks are shameless about demanding their piece of the action, whether it is automobile dealerships, mortgages, or anything else whites have more of, without any mention of the public good. It is always whites who give in in the name of "fairness" or "equality," and blacks who take in the name of being black.

Most striking, though, is how similar Mr. Ignatieff's special pleading is to liberal depictions of blacks as better than whites. Integration has failed despite black efforts to make it work. Black students trail whites after decades of busing, despite the fortitude of black parents in letting their children be used in a social experiment. Black ministers are always "forgiving" whites for slavery and violence. High-minded movies by blacks bomb at the box office because insensitive white studio execs market them stupidly. Just as many New York politicians did, *Traitor* says lynchings that occurred centuries ago excuse Colin Ferguson's killing of five whites on the Long Island Railroad. Blacks are always the long-suffering, noble party.

3) A results test for discrimination. Given all the airy talk of white oppression, the reader of *Traitor* will want to know in what, concretely, it consists. The catalogue of injuries to blacks offered by *Traitor* includes: difficulties in getting car and home loans; racial profiling by police; the slightly stiffer sentences given to blacks than whites for (supposedly) similar crimes; the prevalence of AIDS among blacks; the ubiquity of white supremacists. A couple of articles in *Traitor*—going beyond conventional wisdom—protest absurdly that the media present Nazis in a generally sympathetic light. Aside from this last example, these complaints are all staples of the nightly news.

*Traitor's* harping on one final disparate-impact datum may prove prophetic: the 1.4 million convicted black felons—about 25% of the black male population over the age of 15—who have consequently lost the right to vote. *Traitor*

refers to this as "disenfranchisement," as if it were something done to (presumably innocent) blacks. More worrisome are the sources cited for this statistic, the *New York Times* and the American Civil Liberties Union. That major newspapers and "civil rights" groups are pushing this issue suggests it will eventually be the subject of legislation. When thieves and murderers were white, no modern society dreamed of letting them vote, but this policy may soon be reversed because most thieves and murderers are now black. One wonders how much longer theft and violence themselves will remain illegal, given the black propensity for these actions and the determination of liberals to eradicate any statistical "discrimination."

4) The biological insignificance of race. *Traitor* ignores any possible explanation beyond white villainy for black uncreditworthiness, criminality and susceptibility to venereal disease. *Traitor's* preferred mantra, like that of the left generally, is that race itself is "socially constructed"—a "social category" or a "social grouping." To be sure, conventional wisdom accords race a bit more reality than that. It admits that mankind comes in different colors, and would do so even if nobody noticed them. It also admits that people differ in ancestry, whatever society makes of this fact. However, conventional wisdom also denies that either skin color or ancestry are connected in any way to anything else. Knowledge that someone is Nigerian rather than Korean or Swiss is to permit no inference whatever about his probable intelligence, reliability or athleticism. To the extent that a Swiss is more apt than a Nigerian to be prosperous and married to the mother of his children (facts conventional wisdom concedes, albeit with extreme reluctance), this is blamed on social expectations about and mistreatment of Nigerians. According to conventional wisdom, in other words, race would lose all significance were people's attitudes toward it to change. This is what rubbish about "social construction" amounts to in practice.

To give credit where due, one dandelion, if not rose, sprouts from *Traitor's* field of manure: an essay by Stanford historian George Frederickson on "The Comparative History and Sociology of Racism." As befits a scholar he is objective, not judgmental, and admits at the outset that "people really do differ

in physical characteristics, immediate or remote ancestry, and inherited cultural traits." He is aware that "race arises from the pervasive fact that all human beings have a sense of family or kinship." Sensibly enough he defines racism as "the belief, however justified or rationalized, in the critical importance of differing lines of descent and the use of that belief to establish or validate social inequality . . . the belief that defective ancestry gives some groups socially-relevant characteristics that disqualify them from full membership in a community," and grants that complaints about quotas "would not be racist if they were based on an accurate perception of Euro-American disadvantage." Finally, he makes the pregnant observation that changes in white-black relations within a society never result from action by blacks themselves, but from "extraneous" white-white conflict, such as the American Civil War, Brazil's war of the same era with Paraguay, or international pressure against South Africa. This would probably cause a furor on network television, accustomed to blabbing about the fortitude shown by blacks in the 1960s.

---

### One dandelion, if not rose, sprouts from *Traitor's* field of manure.

---


Unfortunately, Prof. Frederickson never asks whether lines of descent do in fact differ in socially important traits, or whether the worldwide differences in achievement between blacks and whites show something about their relative natural capacities. Still, it is surprising to see his admissions, however limited, in the pages of *Traitor*.

That the majority of *Traitor's* views are, despite the rhetoric, "moderate-liberal" does not make them less noxious. Quite the reverse; it exposes moderate liberalism for what it is. *Traitor* only makes liberalism explicit. Try, if you will, to dismiss white-hating as radical nonsense yet still accept liberal theology, namely: There are no genetic race differences in socially relevant traits; there are not even race differences in these traits at the level of behavior; all racial differences in outcome are therefore due to bias; these discrepancies persist despite decades of effort to annul them; and, finally, *every one* of those

discrepancies—in education, income, health and status—favors whites. Who gains from the bias? Whites. Who set it up? Whites—there's nobody else around. How wide is it? Across the board. And how deep? So entrenched in whites it has survived a half-century of anti-dis-

crimination statutes, quotas, judicial actions, and moralistic nagging.

A consistent liberal must believe that the white soul is irremediably corrupt. He must conclude that the world would be a much better place if whites did not exist. Clear-headed liberals don't need

marginal academics to make them "race traitors." 

*Michael Levin is professor of philosophy at City College and the Graduate Center of the City University of New York.*

## Ezola Foster for Vice President?

### A disappointing choice by Patrick Buchanan.

by Jared Taylor

There has been much grumbling and even bitterness among racial nationalists ever since Patrick Buchanan chose a black woman, Ezola Foster, as his running mate. Some have scraped the Buchanan stickers off their cars, and others have cursed the hours they spent working for a candidate they think has betrayed them. Many have simply written off Mr. Buchanan as someone who can speak for our people, and are preparing to hold their noses and vote for George W. Bush.

What is one to think of Mr. Buchanan's selection? First, it is wrong to feel bitter or betrayed. I have spoken only once with Mr. Buchanan at any length, but it has never been my impression that he thinks in racial terms. I don't doubt he is sincere in his desire to maintain the European character and traditions of our country, but I do not think he understands that only the biological descendants of the creators of those traditions will carry them forward in a meaningful way.

Many in our movement have had reason to think Mr. Buchanan at least privately understood the importance of race. He has said he wants to "take our country back," to stop immigration, to abolish racial preferences, to keep the battle flag flying, and has pointed out that Englishmen assimilate better than Zulus. However, Mr. Buchanan appears to base these positions on his conception of conservative principles rather than because he has a clear racial identity. After all, Mrs. Foster and a few other conservative blacks have endorsed much the same positions. We may therefore have reason to be disappointed but not to be bitter. Although his following is almost entirely white, Mr. Buchanan

has never claimed to speak for whites as a race, and it is wrong to turn on him now because he was not the man some among us imagined him to be.

At the same time, the choice of Ezola Foster is an opportunity to clarify our thinking because it provides anti-racists with what they think is the perfect op-



Ezola Foster.

portunity to accuse us of racial "bigotry" in the real sense of the word: closed-mindedness. They will point out that Mrs. Foster is, if anything, even more outspokenly opposed to immigration than Mr. Buchanan, and that if he had chosen a white candidate with her views he would still have strong support among racially conscious whites. They will be right—and they are stupid enough to think this a moral victory. What they will never understand—and what Mr. Buchanan himself may never understand—is that to oppose the selection of Mrs. Foster because of her race *is a matter of principle*.

Like so many riddles that baffle the orthodox mind, the simplest of analogies makes it all clear. Could a non-Hispanic be the head of La Raza or MALDEF? Could a white be the chairman of the Black Congressional Caucus? Although whites first established and ran the NAACP, could a white be its president today? Of course not. Members of these groups insist *on principle* that they

be led by people like themselves and no one disputes that principle. We act on that principle also.

The United States has become a multi-racial country in which different races have conflicting interests. Non-whites understand this, and instinctively support leaders of their own race who advance their interests. They take it for granted that their gains generally come at our expense.

It is because whites, unlike other races, have no organized political voice that so many had hoped Patrick Buchanan, even if unconsciously, spoke for us. It is now clear even to the most hopeful that he does not. He is a candidate like all the others, and those who saw his campaign as an expression of racial identity have quite properly withdrawn their support.

There are others whose hopes Mr. Buchanan may have dashed. There are many white voters whose unease about demographic and cultural trends has not yet crystallized into a clear consciousness of race. Many of them must have had an inchoate sense that Mr. Buchanan stood for them in a way that went deeper than politics. If we are to preserve our people and our culture, this nascent sense of race must begin to take clear shape among large numbers of our people and lead to action. Unless enough whites understand the crisis we face the crisis will destroy us. To do nothing is to court oblivion. Mr. Buchanan's choice of a black as his running mate will have baffled the unconscious desires of many good Americans and perhaps delayed the day when they are ready to take action.

This said, aside from the disappointment many have felt at Mr. Buchanan's rejection of racial consciousness, he is still the best man in a poor field. Even if only by coincidence, his interests match ours on many more points than do those of his opponents. Even as a conventional candidate rather than as a potential

champion of racial identity he would still be our choice. However, Mr. Buchanan has no chance of winning, so to support him is to cast a protest vote rather than help choose the next administration. If Mr. Buchanan had conducted his campaign—and chosen a running mate—so that a vote for him was clearly a vote to slash immigration, end

affirmative action, and preserve Western Civilization, I and many others would vote for him without hesitation. He could have conducted such a campaign simply by reiterating certain things he has already said.

Unfortunately a vote for Patrick Buchanan could just as well be taken as a vote against abortion, for protection-

ism, and for the view that race is so unimportant that the second in line to the Presidency might as well be black. Mr. Buchanan is an honorable man and we wish him and his running mate well. Some among us will still vote for him, but his campaign can no longer have the resonance for our movement that many at one time believed it had. **Ω**

## O Tempora, O Mores!

### Middle-class Mischief

The Saint Albans area of Queens, New York, is known as a respectable, middle-class black neighborhood. Recently, five respectable middle-class black teenagers decided they would telephone for Chinese food and rob the deliveryman. They decided to have the girl in the group, Stacy Royster, call in the order because they thought she would sound less threatening. The address she gave was a vacant lot. When Sheng Jin Liu got out of the car, Miss



Royster put her hand in her pocket as if she were about to pay. The four boys were waiting in the darkness. They threw a sheet over Mr. Liu and beat him to death with bricks. Then they ate one package of food and went home.

The five teenagers, who are facing murder charges, probably chose Mr. Liu because he is Asian. "In a lot of these neighborhoods around here, it's the sport to rob the Chinese man," said one resident. Another added that Chinese "will take anything anybody gives them, and they don't do anything back."

The press has made much of the fact that all five of these criminals were from intact, middle-class black families. At least one was getting ready to go to college. The *Washington Post*, in fact, wrote up the story without any mention of race, so emphasizing the middle-class-tragedy aspect of the incident that readers are left with the impression that

the killers were white. (Rod Dreher, *Tragic Tale of Two Middle-Class Families*, New York Post, Sept. 7, 2000. Lynn Duke and Christine Haughney, *Killing of Deliveryman Rattles New York*, Washington Post, Sept. 8, 2000, p. A21. David Barstow, Sarah Kershaw and Winnie Hu, *A Killing*, and the *Anguish of Families of the Accused*, New York Times, Sept. 9, 2000.)

### Partial Vindication for Austria

A committee of "wise men" has urged the European Union to drop its sanctions against Austria. The sanctions against high-level political contact between Austria and other EU members were put in place in February when the anti-immigrant Freedom Party joined the Austrian coalition government. The EU, led by Belgium and France, accused the Freedom Party and its then-leader Jörg Haider of Nazi sympathies and said it opposed democracy.

The "wise men," a German lawyer, a former Finnish president and a former Spanish foreign minister, concluded that "the Austrian Government's respect in particular for the rights of minorities, refugees and immigrants is not inferior to that of the other European Union Member States," and that continuing the sanctions would be "counterproductive." As a sop to Austria's critics, they also said the sanctions had been effective in intensifying the government's efforts to uphold European values. Their report also accused the Freedom Party of using "xenophobic or even racist" language and said it was "a right wing populist party with radical elements." Mr. Haider said he was happy to be called a populist, since the word means only that someone is close to the people.

Austria had been threatening to hold a referendum on the sanctions if they

stayed in force and it now appears that a face-saving way has been found to lift them. (Richard Murphy, *Panel Urges EU to End Austria Sanctions*, Reuters, Sept. 8, 2000. Richard Murphy, *Austria's Haider Attacks Chirac*, Schroeder, Reuters, Sept. 9, 2000.)

### Dress for Success

A federal appeals court has ruled that a Mexican homosexual who likes to wear women's clothes is entitled to asylum in the United States because he would be persecuted if sent back to Mexico. The Ninth Circuit Court of Appeals sitting in Pasadena, California, overturned an INS judge and appeals board that wanted to deport Geovanni Hernandez-Montiel.

People are entitled to asylum if they can show they are persecuted because they are members of a "particular social group" and that the characteristics of this group are immutable—like race or sex—or, like religion and nationality, are fundamental to a person's identity. The INS judge did not doubt that Mr. Hernandez-Montiel would be hooted at for wearing women's clothes in Mexico, but ruled that he was not being persecuted because of his membership in a "particular social group" and suggested that what prompted the hooting was hardly immutable: he could wear men's clothing.

In a unanimous ruling written by judge A. Wallace Tashima, the three-judge panel reversed the INS, noting that "this case is about sexual identity, not fashion." Mr. Hernandez-Montiel's lawyer noted happily that this was the first time a homosexual has been officially recognized as a member of a "particular social group" for asylum purposes. As an asylee, Mr. Hernandez-Montiel is now eligible for the standard package of welfare, health, and other benefits.



(David Stout, Court Rules Cross-Dresser Can Stay in the U.S. on Asylum Claim, New York Times, Aug. 26, 2000.)

## Suicide of the West

It has been a long-standing policy that if a person qualifying for admission to the United States as a refugee is found to be HIV positive, he must show he has the means to pay for treatment. In June, the INS changed this rule. Although it requires indigent HIV-positive refugees to make a special application for admission, it is now inclined to accept them. Some 30 such refugees have already been admitted—mostly from Africa—and more are on the way. The INS decided that leaving AIDS carriers behind was just too cruel, since the reason they were not admitted might be-

come known in their home countries and result in more persecution. These special refugees will be resettled in six US cities selected because of their advanced HIV health and hospice networks: Boston, New York, Chicago, San Diego, Minneapolis, and San Francisco. They will be treated at public expense, but a State Department spokesman says it will be no time before they get private insurance. "Human rights" activists are praising this new AIDS-friendly policy, which has already been adopted by the Nordic countries. (Mike Crawley, Quiet Reprieve for HIV Refugees, Christian Science Monitor, June 16, 2000.)



## A Sadder, Wiser Denny's

Ever since the Denny's restaurant chain handed over \$46 million in a class-action suit to blacks who claimed they got bad service, it has been an easy mark for blacks who want to make a quick buck claiming discrimination. The company has finally figured out what is going on and is using security video tapes to help fight off frauds.

In a suit filed last November in Miami, a black couple claimed they were forced to wait more than an hour while whites were seated and served. Not a single black, they said, was shown a

table. They said this was part of a pattern of "willful disregard" for the rights of blacks, which entitles them to huge sums in punitive damages. Denny's got the couple to testify to all the wrongs done them and then produced a security video proving they had waited ten minutes—not an hour—and that blacks had been seated during this time. Ellis Rubin, the lawyer who had brought the case, immediately dropped it. Nothing daunted, the blacks rounded up *another* lawyer but he, too, dropped the case when he saw the tape. The couple should be charged with perjury but, needless to say, will not be. (Denny's Catches Phony Discrimination Claim on Video, NewsMax.com, Aug. 27, 2000.)

## Affirmative Action Increases Crime

John Lott, the Yale researcher and author of *More Guns, Less Crime* (reviewed in the June, 2000, issue), has written a report called "Does a Helping Hand Put Others at Risk? Affirmative Action, Police Departments, and Crime." Its thesis is that affirmative action increases crime by lowering the selection standards for police officers and decreasing their effectiveness.

Prof. Lott examined data for 189 American cities from the years 1987, 1990, and 1993. During this six-year period, many police departments were subject to affirmative action, and the number of officers of all demographic categories increased, except for that of white men, whose numbers declined by 6,912 out of the 1990 total of 155,071 officers.

During this period, crime went up, especially in black, high-crime areas, despite a previous decrease. Prof. Lott thinks lower standards mean new white recruits are also less qualified than before, and that the more vigorously a police force practiced affirmative action the less effective its officers became. (John R. Lott, Jr., Does a Helping Hand Put Others at Risk?, Western Economic Association International, April 1, 2000.)

## Rape in South Africa

South Africa has what is probably the highest rape rate in the world—a reported 120 per 100,000 population with probably many more rapes unreported. The US rate is about 35 per 100,000. South

African men appear to have a rather casual attitude towards rape. In a survey of more than 27,000 young men and women, 80 percent of the men said they thought women were responsible for being raped. Thirty percent thought women who were raped were "asking for it" and 20 percent thought women enjoy being raped. *One in four of the men said they had raped at least one woman before they turned 18.* (One in Four S. African Men Admit Rape-Survey, Reuters, June 25, 2000.)

## LAPD Blue

What follows is a complete list of press releases issued by the Los Angeles Police Department from July 12 to July 17. This period, selected completely at random, is probably a good indicator of the color of crime in Los Angeles.

Wednesday, July 12 - A black male enters a middle-aged white man's apartment, stabs him to death with an unknown object, and flees through an open window.

Wednesday, July 12 - A 24-year-old black male ambulance technician is shot dead on the street by an unknown suspect.

Thursday, July 13 - Raymond Estrada, 24, and a 15-year-old are shot at by an unknown black suspect.

Thursday, July 13 - A black man breaks into the home of an elderly couple—race unspecified—and makes off with money and jewelry.

Thursday, July 13 - A black youth shoots two blacks to death, grazes a Hispanic woman with a stray bullet, and escapes in an SUV.

Thursday, July 13 - The findings of the Rampart Independent Review Panel are expected in the fall.

Friday, July 14 - Billy John Hill, 22—race unspecified—is shot in the head by a group of suspects riding in a car.

Friday, July 14 - Four armed black men rob a Comfort Inn hotel, taking the money from the cash register and property from the cashier.

Saturday, July 15 - Community alerts are posted to warn of a black suspect in a series of burglaries and rapes in west Los Angeles.

Sunday July 16 - Two Hispanics are suspected in the shooting of two other Hispanics, one of whom dies.

Sunday, July 17 - Detectives hold a conference asking the public for infor-

mation on a rapist/kidnapper of a 17-year-old Hispanic girl. His race is not disclosed.

Monday, July 17 - LAPD holds a press conference to launch a new police officer recruitment campaign, which stresses the humanitarian nature of the job.

## Palos Hills Shows Some Fight

Palos Hills, Illinois, is a suburb south of Chicago with a mostly-white population of 12,000. Recently a group of Muslims agreed to pay \$2.1 million for a Christian Reformed church building, which they planned to use as a mosque. This caused outrage in Palos Hills, with residents suggesting that Muslims should convert to Christianity or go back to their own countries. The city council even approved a plan to pay the Muslims \$200,000 to back out of the deal, but Mayor Dean Koldenhoven vetoed the proposal, calling it irresponsible and an insult to Muslims. It now looks as though the Muslims will move in and that come election time Mayor Koldenhoven will be voted out. (Martha Irvine, Mayor Vetoes Plan to Buy Out Muslims, AP, July 19, 2000.)

## Just Like Central Park

The Notting Hill Carnival is an annual event in a black part of London that is supposed to be a celebration of Afro-Caribbean culture. Over the years it has grown huge—this year's August 27-28 event drew an estimated 1.5 million people—and needless to say it has become dangerous and crime-ridden. One of the attractions is that the increasingly "sensitive" London Police are under orders not to provoke blacks. As a police memo leaked after the carnival explains to officers, "arrest of offenders is not your main purpose." Instead, the 7,500 constables are to ignore drug dealing and non-violent theft, keep the violence at a tolerable level, and give the impression the event is safer than it really is.

Glen Smyth is chairman of the Metropolitan Police Federation, which represents rank-and-file officers, many of whom are disgusted by the "softly, softly" approach to blacks. As he reported on BBC radio:

"For a number of years, the level of reported crime is far below that which

really happens and the whole process is underplayed for political reasons. There is a significant criminal minority who exploit the carnival in full knowledge that the police will tread extremely lightly. Sooner or later, we will arrive at the situation where people are murdered at the carnival every year and many people are seriously hurt. The recent record is pretty appalling."

That day has already arrived. This year there were two murders and 69 people hospitalized. One of the murders appears to have been racial. A gang of blacks beat and kicked to death an Asian, Abdul Bhatti, after he tried to help another Asian whom the blacks were robbing. Witnesses said the gang ignored blacks and targeted only Indians and Pakistanis as it rampaged through the carnival.

Officers who have patrolled the carnival for years say the police lost control years ago and that without stern measures the annual event will only get more violent. (John Steele, Carnival Murder 'Was Race Attack,' Daily Telegraph (London) Sept. 6, 2000. David Bamber, Carnival Police 'Told to Ignore Use of Crack,' Daily Telegraph, Sept. 3, 2000. Philip Johnston and Linus Gregoriadis, Carnival Police 'Told Not to Search Gunmen,' Daily Telegraph, Sept. 1, 2000.)

## Muslims on the March

We were under the impression that all diversity is supposed to be good, but *Commentary* has found a kind it doesn't like. Daniel Pipes notes in a recent article that there are already about one million American blacks who are Muslims, and continues as follows:

"Their numbers, moreover, are only likely to grow. Though Islam still exercises only modest appeal to white Americans, it has become a powerful and permanent presence among blacks, who by my rough calculation are 200 times more likely to convert to it than are whites. . . . Islam may well pull ahead of Christianity among blacks within a matter of decades."

"Black converts generally tend to adopt extremist views. Those in the Nation of Islam become black nationalists, pumped up with incendiary anti-white rhetoric, while those who join standard Islam often become Islamists—admirers of such figures as the Ayatollah Khomeini and Usama bin Ladin.

Whether followers of the NoI [Nation of Islam] or standard Islam, moreover, black converts tend to hold vehemently anti-American, anti-Christian, and anti-Semitic attitudes.



"It does not take much imagination to see that, should Islam in fact replace Christianity as the primary religion of African-Americans, this will have vast significance for all Americans, affecting everything from race relations to foreign policy, from popular culture to issues of religion and state." (Daniel Pipes, How Elijah Muhammad Won, *Commentary*, June 2000)

## More Phantom Racism?

Mary Frances Berry is a black woman and racial ambulance-chaser who has served for many years on the U.S. Civil Rights Commission. In 1984 she summed up her legal views by issuing a statement saying civil rights laws do not apply to white men and do not protect their rights.

This summer, she jumped on the "racial profiling" bandwagon, claiming she too has been a victim. She says she was in her car, keeping up with other drivers, all of whom were slightly exceeding the speed limit, when an officer stopped her. She is convinced he stopped her because she is black and says, "I was afraid he would shoot me." She got out of the car and put up her hands, saying "Please don't hurt me." The officer told her to "shut up," threw her against the car and handcuffed her. He then wrote her a speeding ticket, which she says she paid.

Despite Miss Berry's reputation as an indefatigable fighter for black rights and black dignity, she says she did not file a formal complaint. She has also refrained from specifying the state in which this incident took place. (Dave Boyer, Civil Rights Group Accuses N.Y. Police of

Racial Profiling, Washington Times, June 17, 2000, p. A2.)

We think she made the whole thing up.

## Needless Handwringing

The local press has been outraged to find that blacks in Minnesota are much more likely to be arrested than whites. Liberals have learned that over the past six years, blacks were 17 times more likely to be arrested for traffic offenses. Other multiples were: prostitution 10, begging 11, trespassing 19, and driving without a valid license 42. The Minneapolis Urban League and the NAACP are calling for the police to be investigated on suspicion of racial profiling. Largely ignored is the fact that conviction rates for blacks and whites are essentially the same. In other words, police are not arresting blacks because they are black but because they are criminals. (James Walsh, Dan Browning, Presumed Guilty Until Proven Innocent, Star Tribune, July 23, 2000.)

## Maryland Politics

Albert Wynn is a black congressman who has represented Maryland for four terms. His third and most recent ex-wife Jessie Wynn has decided to support the Congressman's white Republican opponent. Her main campaign theme for the largely-black district is that Mr. Wynn is disloyal to his race. "Hi, this is Jessie Wynn, wife of Congressman Albert Wynn," she explains in a telephone recording. "Albert Wynn does not respect black women. He left me for a white



John Kimble and Jessie Wynn.

woman. Please help us defeat Albert Wynn. Thank you and God bless you."

John Kimble, the white man Mrs. Wynn now supports for her ex-husband's job, has a web page that displays a photograph of the candidate and Mrs. Wynn standing in front of a large banner that says: "Al Wynn left his black

wife and child for a white woman." Mr. Kimble justifies this campaign issue by arguing that "you can't win in this district unless you're ready to roll in the mud with him [opponent Albert Wynn]."

"Hell hath no fury," he adds. "It's a pretty sad situation that has evolved out of a bitter divorce. I have nothing negative to say about my [own] soon-to-be ex-wife." But he has profited greatly from Congressman Wynn's loss of his wife. "She's a really great motivator," he explains. "She's told me I have to realize it's a war. Jessie's been the driving force of Al's campaign for his four terms and I really don't think he would have been a congressman without her."

Mr. Kimble is best known for offering nude photographs of himself to *Playgirl* during a 1996 attempt to unseat Mr. Wynn. On his web page he describes himself, without further explanation, as "a behavioral researcher and developer of the 'Intelligun'—the 'Dolphin inside a gun.' " (Toby Harnden, In Maryland, Bedfellows Make Strange Politics, Daily Telegraph (London), Sept. 6, 2000.)

## Unpatriotic

Black filmmaker Spike Lee has little good to say about Mel Gibson's summer movie "The Patriot," which is about the American Revolution. In a letter to *Hollywood Reporter* he called it a "complete whitewashing of history." "Where are the slaves?" he asks. "Who's picking the cotton?" As Mr. Lee explains, "When talking about the history of this great country, one can never forget that America was built upon the genocide of Native Americans and enslavement of African people. To say otherwise is criminal." (Lee Gives 'The Patriot' a Thumbs-Down, Los Angeles Times, July 7, 2000, p. F2.)

## A Roaring Trade

In Nigeria it is common for thieves to break open gasoline pipelines, pump the fuel into tanker trucks and drive off, leaving the gasoline spilling into farmers' fields. The locals then descend on the ruptured pipeline, scooping up gasoline in buckets for resale on the black market. This can be dangerous; a carelessly dropped cigarette can turn the festival of larceny into an inferno. In July, an estimated 250 people in the town of Adeje burned to death in just such an

incident, after thieves tapped the pipeline that runs to the northern city of Kaduna. "When we heard the explosion and saw the raging fire, we considered it as normal because the breaking of pipelines . . . is happening all the time," explained Adeje resident Monday Ochuku. In 1998 just a few miles north of Adeje an estimated 1,000 people died in a huge fireball after gas thieves broke open the same pipeline. (Gasoline Blast Kills Over 100 Nigerians, Washington Post, July 12, 2000, p. A16.)

## Return Engagement

Damian Williams was briefly famous as one of the blacks who beat Reginald Denny nearly to death at the start of the Los Angeles riots of 1992. Mr. Williams waited his turn to smash the bloodied and barely-breathing Mr. Denny with a brick, spat on him, and did a little victory dance—all caught on video tape. At his sentencing Judge John Ouderkirk admonished him for attacking a man purely because of race and for showing no remorse. Mr. Denny publicly forgave his assailants, saying they must have been through an awful lot to have behaved as they did. Mr. Williams served four years of a ten-year sentence.

Mr. Williams is now back in the news as a suspect in the killing of a 43-year-old Los Angeles man in what was probably a gang-related robbery. He and an accomplice are suspects in several robberies in the same area on the day of the killing. (Reginald Denny Attacker Charged With Murder, Channel2000.com, Sept. 1, 2000.)

## "Just Pure Evil"

A gang of teenagers went marauding through Tacoma, Washington, in August in a series of a dozen "thrill attacks" that left one man dead. The gang beat Eric Toews to death as he walked home alone from work in a neighborhood that is usually safe. Residents criticized police for not having issued warnings of the attacks, which occurred over a period of several days, but police said they had not realized they were related. Police have arrested eight participants in the fatal beating, aged 11 through 19. The 11-year-old is the youngest person ever to face murder charges in the history of the county. All the perpetrators were black or Hispanic and all but one of the dozen victims were white, but police say



they have no reason to think the attacks were racially motivated. "It was just pure evil; that's what it was," says a white resident. (Jack Hopkins, *Eight Arrested in Tacoma Beating Death*, *Seattle Post-Intelligencer*, Aug. 29, 2000.)

## The Rising Tide

Although there is much talk of the toll AIDS is taking on the population of Africa, the continent is growing as rapidly as any place on earth. A report issued recently by the Population Reference Bureau says that in the next 100 years the number of Africans is likely to jump from 800 million to 1.8 billion. Europe, on the other hand, is likely to see its population decline from 728 to 658 million in the next 50 years. During the same period, the United States' population is projected to grow from 274 to 403 million, with the increase fueled by immigration and the children of immigrants. By the middle of this century India could surpass China as the most populous country in the world, and may have as many as two billion people by 2100. (Genaro Armas, *Population Growth in India, Africa*, AP, June 7, 2000.)

## The Perils of Belief

Aida Rodriguez was born in Puerto Rico but lived in the Bronx where she was a practicing Santeria priestess and tarot card reader. On August 14, her 37-year-old live-in boyfriend found the 280-pound 64-year-old strangled in their apartment. There was no sign of forced entry and nothing was missing. One clue to the motive of the killer is that Miss Rodriguez was found wearing a blindfold. Police suspect she was giving a reading to someone who didn't like what he was hearing. An investigator explains that "in the spiritual world, taking away the victim's sight might perhaps be the killer's way of not confronting her interpretation of his future." (Philip Messing, *Cards Spelled Death for Tarot 'Priestess'*, *New York Post*, Aug. 27, 2000.)

## More Perils

Palo Mayombe is an Afro-Cuban "religion" that has come to America along with the Cubans. Its practitioners, called *paleros*, believe they can use parts of human bodies to enslave the spirits of

the dead, which are then summoned to commit crimes and work evil.

Margaret Ramirez, 74, lived in an apartment in Manhattan on 164th Street. She recently died in an automobile accident, and police came to her apartment to notify the next of kin. They found her son Michael Grahales, 54, who became "extremely unstable" on learning what happened to his mother and is now locked up in a mental hospital. Police also found what appeared to be a den of Palo Mayombe sorcery, complete with statues in every corner, skulls, chunks of flesh rotting in pots, and boarded-up windows. What most shocked police was a perfectly preserved newborn girl floating in a jar of formaldehyde. Since the son claims to know nothing about the body, police are left to speculate. "We haven't ruled out homicide, but we're hoping the baby was stillborn," says Lt. George Menig. "It's too creepy to think that it could have been a human sacrifice." (Laura Italiano and Maria Malave, *Black-Magic Woman*, *New York Post*, Aug. 28, 2000.)

## A Kingdom of Their Own

"You Are Leaving the United States. You Are Entering Yoruba Kingdom." So reads the sign, in both English and Yoruba, at the Oyotunji African Village in Beaufort County, South Carolina. This follows the sign on Route 17 that says, "African Village—As Seen on TV."

King Osejeman Ofuntola Adefunmi, born in 1928 in Detroit under the more prosaic name of Walter King, founded the village in 1970. He had traveled to Egypt in the 1950s and became interested in ancient black religions. He dabbled in Voodoo and Santeria, and in 1959 went to Cuba to be initiated as a priest of Orisha Voodoo. He then went to New York, where he made a living peddling African clothing and religion. He founded a Yoruba temple in New York in the mid-1960s before moving the operation to South Carolina.

Oyotunji Village is in traditional Yoruba style, complete with an ancient royal family descended from Heaven, animal sacrifices to the gods, traditional parades and gift-giving sessions in honor of the king or Oba, and polygamy. The Oba says he has a hard time remembering but thinks he has had 22 wives and 26 children. This was one of the reasons he left New York. The authorities frowned on polygamy, which Yoruba

men require, and it was also hard to raise animals for sacrifice.

By the end of the first decade, Oyotunji was thriving, with nearly 200 villagers, all with African names and three horizontal scars carved into their cheeks. They read fortunes in shells for tourists and collected food stamps. Over the next two decades, Oyotunji got electricity and running water and even established a state-certified charter school—the Royal Yoruban Academy. It has since sent former members to found Voodoo temples and villages all over the United States and the Caribbean and thus considers itself a kind of Voodoo Vatican. Its population has declined since its early high but it still has a foreign minister and a minister of tourism.

There is a variety of gods at Oyotunji, which are worshipped in different ways. The faithful sacrifice a goat to Oya the goddess of storms, and give gifts to Oshun the love goddess. They must wiggle their rumps in honor of Elegba "the mischievous messenger," but bowing suffices for others. Tourists, who pay for fortune-telling and other charms, are a major source of income. No doubt to the dismay of many, whites may not become villagers. "They would not have the ancestral line, the racial heritage that an African person has," explains the Oba. (Peter Carlson, the King of South Carolina, *Washington Post*, June 25, 2000, p. F1.)

## Jailed for a Syllable

In August, 1998, Susan Barton was leaving a restaurant in Manistee, Michigan, with her mother and daughter. As they tried to make their way through the crowd a man—in Spanish—asked his wife to make room for them. Mrs. Barton, who resents large numbers of non-English-speakers coming to the United States, said "I wish these damned spics would learn to speak English." One of the Spanish-speakers was Carol Benitez, an off-duty Manistee County sheriff's deputy. She followed Mrs. Barton out of the restaurant, jotted down her license plate number and filed a complaint with the city police. Mrs. Barton was hauled into court and charged with violating a city ordinance that says: "No person shall engage in any indecent, insulting, immoral or obscene conduct in any public place." She argued this was a violation of the First Amendment—which protects insulting speech—but a jury found

her guilty and a judge sentenced her to 45 days in jail. She is asking the Michigan Court of Appeals to overturn her conviction.

At issue in the case is just what is protected by the First Amendment. The Supreme Court has ruled that “fighting words” likely to cause violence are not protected free speech. Hispanic lawyers are arguing that the word “spic” (they don’t care about the “damn”) is just such a “fighting word” and that it is constitutional to prohibit its public utterance. (Michael G. Walsh, *Case Tests City’s Speech Ordinance*, *Chronicle* (Muskegon, Michigan), Aug. 12, 2000.)

## “Sorry to the Latins”

On July 29 Julio Cesar Chavez of Mexico lost a super lightweight title fight to Kosta Tsyu, a Central Asian-Caucasian hybrid from Russia. Mr. Chavez announced his retirement after the Tucson, Arizona, fight and apolo-



gized to his fans for the loss: “I’m sorry to all the Latin people,” he said. “They have been there for me for many years.” (Kosta Tsyu *Knocks Out Julio Cesar Chavez to Retain WBC Title*, *BW SportsWire*, July 29, 2000.)

Is it possible to imagine a white boxer apologizing to “all the white people” after losing a fight to someone of a different race?

## Will He Grovel?

In February, black agents filed a discrimination suit against the Secret Service. In September the agents claimed the protection team assigned to Albert Gore, in particular, is suspiciously short of blacks. Black Georgia congresswoman Cynthia McKinney says she’s not surprised. “Gore’s Negro tolerance level has never been too high,” she says on her congressional web site. “I’ve never known him to have more than one black person around him at any given time.” She says the Secret Service has a Jim Crow policy. (Jerry Seper, *Law-*

maker *Questions Gore’s Racial Tolerance*, *Washington Times*, Sept. 8, 2000.)

Mr. Gore now has a chance to call Miss McKinney a contemptible race-baiter, and thereby perhaps win the respect of a few whites. We will see if he grovels instead.

## Can’t We All Get Along?

At Redlands High School in Redlands, California, there is a great deal of tension between U.S.-born Hispanic students and immigrant Hispanics. The American-born students look down on the immigrants as tightwads and bad dressers, while the immigrants flaunt their fluent Spanish. But it goes deeper than this. In 1998 police reported no fewer than 200 cases of violence between the two groups. So far, no one has been killed, but both sides have started doing drive-by shootings of the other group’s hangouts. Last year Redlands High School won a \$147,000 grant from the U.S. Department of Justice to study why the two groups can’t get along. (Sharyn Obsatz, *Hispanics’ Conflicts Spur Action*, *Press-Enterprise* (Riverside, California), May 2, 2000.)

## Language Lunacy

The Civil Rights Act of 1964 forbids discrimination on the basis of “national origin.” President William Clinton recently issued an Executive Order that considers the inability to speak English an aspect of “national origin” and therefore a potential cause of illegal discrimination. The order requires all federal agencies to provide services in a way that does not discriminate against people who don’t speak English. Translation alone will not do; Tweek- and Wolof-speakers must have means of communicating with the government orally, too. The Justice Department’s Office of Civil Rights under William Lan Lee will be in charge of enforcing the order.

Executive Order 13166 also requires recipients of federal money to meet the same language standards. This means that if a zoo or a theater receives federal money it will have to fight “language discrimination” too. Only “reasonable measures” are obligatory but no one knows what this means in practice. Would a theater have to provide simultaneous interpretation of its productions? In how many languages? Would a library have to stock books in all lan-

guages? Jim Boulet, executive director of English First, says the new order effectively makes non-English-speakers a protected class like blacks or Hispanics. The order does say that in some cases English-speaking may be a legitimate qualification for a job and discrimination may therefore be justified. Random House doesn’t have to hire Cambodian-speakers to compile its English dictionaries—at least not yet.

Overcoming “language discrimination” is not just hugely expensive and cumbersome. If this new form of discrimination metastasizes the way “racial discrimination” has, we can expect Spanish- and Chinese-speakers to start claiming bias, and demanding jobs and college admissions strictly on the basis of statistical underrepresentation. (John E. Dougherty, *Clinton Mandates Multilingual America*, *WorldNetDaily.com*, Aug. 24, 2000.)

## The Race of the Face

Located deep within the brain, the amygdala acts as a kind of sensory administrator. It receives information from the senses and flags messages that need more attention. When magnetic resonance imaging (MRI) shows that the amygdala is active it is thought to be a sign of vigilance, that the brain wants more information. Recent research has determined that amygdala activity levels are sometimes higher when people see faces of people of races different from their own.

In a study carried out by Massachusetts General Hospital in August, groups of black and white subjects were shown photographs of faces—half were white, half were black—while MRI scans determined the activity levels of their amygdalas. When they first looked at the faces subjects had high levels of activity, but when they were shown the faces a second time, it was only the “out-group” or other-race faces that prompted high amygdala activity. This was true for both black and white subjects. This suggests that at a basic physiological level encounters with people of different races keep the human brain at a higher level of watchfulness. The authors of the study caution against possible misinterpretation of the results. (Sue McGreevey, *The Ins and Outs of Facial Processing*, Press Release from Massachusetts General Hospital, Aug. 21, 2000.) 